

March 14, 2022

Christina Heydorn,  
City Hall  
100 Queen St. W.  
Toronto, ON  
M5H 2N2

Dear Ms. Heydorn:

**RE: CITY OF TORONTO OFFICIAL PLAN REVIEW – REQUEST TO CONVERT EMPLOYMENT  
AREA (PROPERTIES 4630 SHEPPARD AVE EAST AND 4570 SHEPPARD AVE EAST)  
COMMENTS BY CRH CANADA GROUP INC.**

This submission is being made on behalf of CRH Canada Group Inc. (CRH) who own a concrete batching and transfer facility located at 1949 McCowan Road (hereafter referred to as the Subject Lands), which is situated in close proximity to employment lands being considered for conversion to non-employment uses located at 4630 Sheppard Avenue East and 4570 Sheppard Avenue East.

**Figure 1** provides a location map of the concrete facility owned by CRH.

MHBC has been retained by CRH to review and provide comments on the City of Toronto Official Plan Review and associated requests to convert employment areas in the City. We appreciate the opportunity to provide comments and we look forward to working with City Planning Staff to have the concerns set out in this submission addressed.

As shown on **Figure 1**, CRH's lands are situated within an Employment Area recognized by the Province through the Growth Plan as a Provincially Significant Employment Zone ("PSEZ"). The properties located at 4630 Sheppard Avenue East and 4570 Sheppard Avenue East are also situated within this PSEZ. The Subject Lands are designated as a Core Employment Area in the City of Toronto Official Plan (OP), which are places of business and economic activities vital to Toronto's economy and future economic prospects. The Subject Lands consist of concrete batching, storage and transfer facility, and also incorporates a truck servicing station.

The concrete batching facility located on CRH's lands is classified as a Class II industrial land use under the D6-guidelines. Class II industrial uses have a potential influence area of 300 metres and a minimum separation distance of 70 metres. However, under the ECA (Environmental Compliance Approvals) requirements for concrete batching facilities, the potential influence area is increased to 500m for assessment purposes. The properties subject of the land use conversion requests are located partially within the minimum separation distance, and entirely within the potential influence area, associated with the CRH concrete batching facility (see **Figure 2**).

Given that properties located at 4630 Sheppard Avenue East and 4570 Sheppard Avenue East are situated wholly within the potential influence area associated with the concrete batching facility, and form part of PSEZ, it is our opinion that the proposed conversion and permission for sensitive land uses in the potential influence area would not be consistent with Provincial Policy Statement, 2020 ("PPS 2020"), would not be in conformity with the Growth Plan for the Greater Golden Horseshoe 2019 ("Growth Plan") as amended in 2020. In particular, Provincial policies that are aimed at protecting Provincially Significant Employment Areas and Employment Areas that are planned for industrial and manufacturing uses.

## **PROVINCIAL POLICY STATEMENT**

The Provincial Policy Statement 2020 (PPS 2020) provides policy direction on matters of provincial interest related to land use planning and development. It is the objective of the Province to "provide for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment".

The Subject Lands containing the concrete batching facility is considered a major facility as defined by the PPS. As noted in Policy 1.2.6.1: "*Major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures".

In addition, Section 1.3.2.1, 1.3.2.2 and 1.3.2.3 provides policy direction with respect to the protection and preservation of Employment Areas that are planned for industrial and manufacturing uses, which includes CRH's lands. Policy 1.3.2.2 requires "separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas". Policy 1.3.2.3 requires that: "**within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility**".

Further, as defined in the PPS, certain existing uses (i.e. concrete batching facility) are considered 'mineral aggregate operations'. According to Section 2.5.2.4, **protecting mineral aggregate**

**operations from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact is required by the PPS.**

## **GROWTH PLAN**

Policy 2.2.5.9 of the Growth Plan provides direction for conversions of lands within employment areas to non-employment uses, which includes the test that: **“(d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in the Growth Plan, as well as the other policies of this Plan”.**

Therefore, any contemplation of proposed conversion of employment lands will be required to conform to the Growth Plan including this policy.

## **LAND USE COMPATIBILITY**

As noted previously, the properties subject to the requests for conversion fall within the potential influence area (500 m) and partially within the minimum separation distance of the CRH cement plant facility.

Introducing sensitive land uses within the potential influence area will trigger a need for considerable mitigation required to ensure compatibility between existing industry and the introduction of new sensitive land uses. The more sensitive land uses that encroach on industrial operations, the amount of mitigation needed and potential for complaints increases. Existing industries are required to ensure any emissions from their operations are properly mitigated to meet Provincial Standards through the Environmental Compliance Approval (ECA) process regulated by the Ministry of Environment, Conservation and Parks (MECP). The CRH facility has ECAs approved by the MECP based on the current separation distance of existing sensitive land uses.

Once sensitive land uses are permitted in a land use designation in an official plan, the Planning Act requires that that municipal zoning by-law be amended to conform with the official plan. Once designated, it is understood that such lands would be zoned to include zoning permissions for sensitive land uses.

Once the zoning permits a sensitive land use, an ECA must assume a sensitive receptor is present on the zoned lands (even if a sensitive land use is not present). This change transfers the responsibility of mitigation for noise control to the industry. Therefore, any proposed Area-specific Plan policy must keep this in mind so a wrongful transfer of responsibility does not result.

**In summary, CRH is requesting the following:**

- i) that the employment area conversion requests for properties located at 4630 Sheppard Avenue East and 4570 Sheppard Avenue East not be permitted in order to protect CRH's operations from the encroachment of sensitive land uses and potential impact on existing industries that form part of the PSEZ.**
- ii) the lands identified as Provincial Significant Employment Zone (identified on Figure 1) continue to be designated as employment areas and protected in accordance with Provincial Plan policies;**
- iii) the City takes account of potential land use compatibility issues in light of the D-6 Guidelines and ECA requirements;**
- iv) any decision on proposed land use conversions be consistent with the PPS 2020, in particular policies 1.2.6.1, 1.3.2.1, 1.3.2.2 and 1.3.2.3;**
- v) any decision on proposed land use conversions be in conformity with Growth Plan 2019, as amended in 2020, in particular policies 2.2.5.8 and 2.2.5.9; and,**

Please be advised that CRH and MHBC welcome any further discussion with City staff. We thank you for the opportunity to comment on this important matter and request notification of any future meetings or decisions relating to the Official Plan Review.

Yours truly,

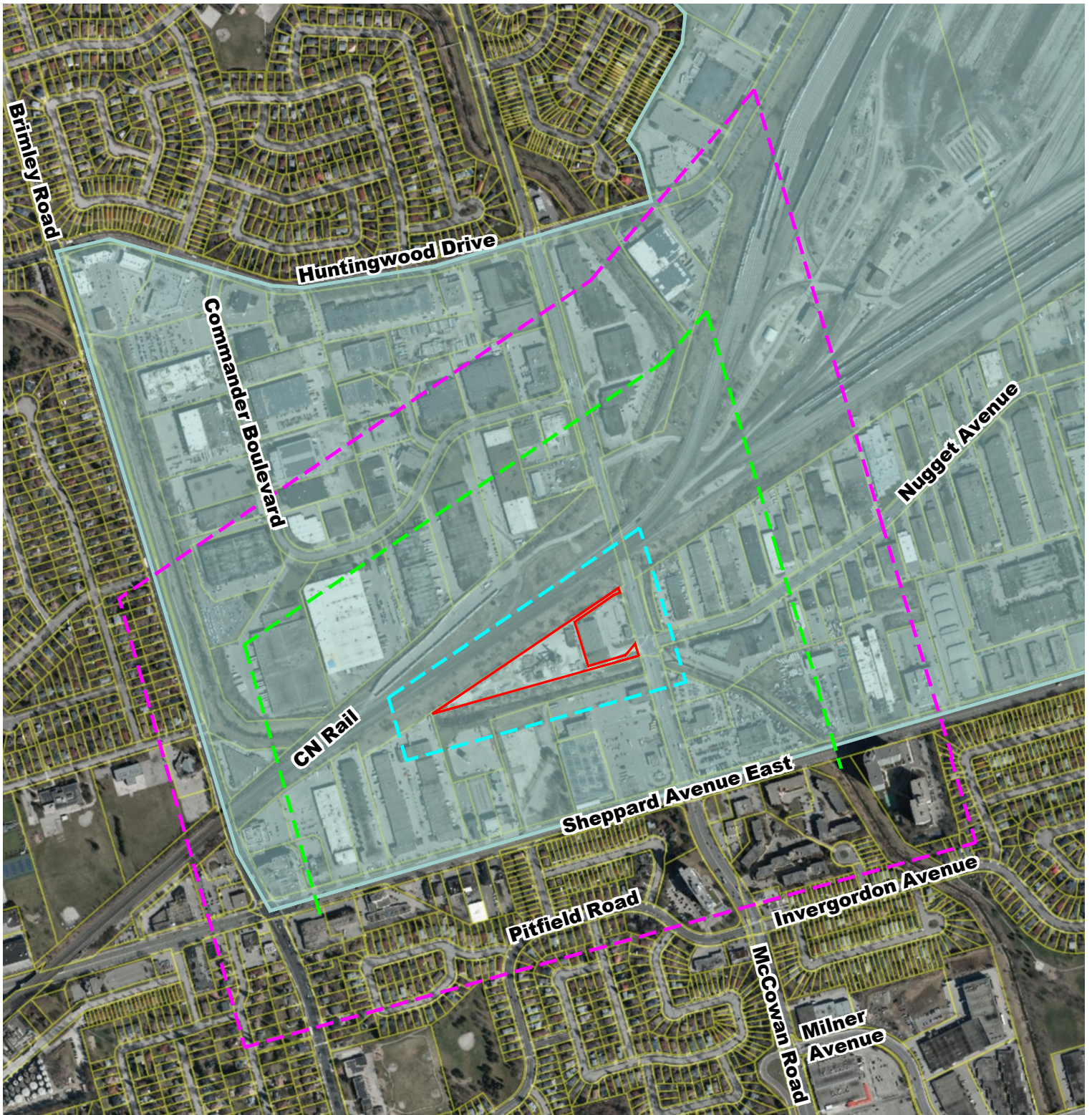
**MHBC**

A handwritten signature in black ink, appearing to read "Debra Walker", followed by a period.

Debra Walker, BES, MBA, MCIP, RPP

cc: Jessica Ferri, CRH





Data Source: First Base Solutions Aerial Flown 2020

Figure 1

## Provincially Significant Employment Zones

1949 McCowan Road,  
Scarborough, Ontario

### LEGEND



Subject Lands



70m Minimum Separate Distance



300m Area of Influence



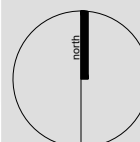
500m ECA Radius



Provincially Significant Employment Zones

DATE: March 8, 2022

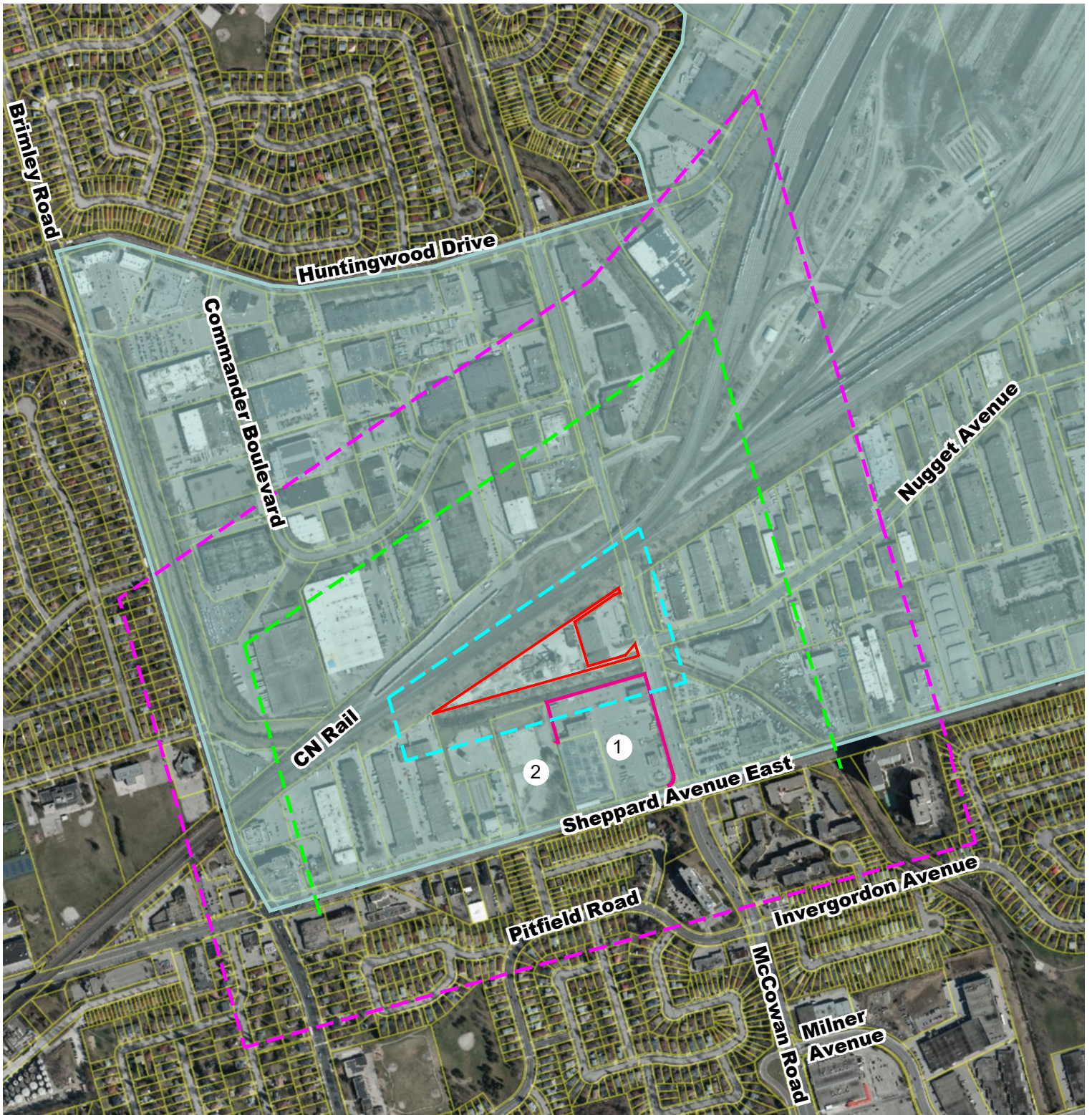
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**MHBC** PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7  
P: 905 761 5588 F: 905 761 5589 | WWW.MHBCPLAN.COM





Data Source: First Base Solutions Aerial Flown 2020

Figure 2

## Provincially Significant Employment Zones

1949 McCowan Road,  
Scarborough, Ontario

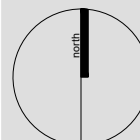
### LEGEND

- Subject Lands
- 70m Minimum Separate Distance
- 300m Area of Influence

- 500m ECA Radius
- Provincially Significant Employment Zones
- 1 4630 Sheppard Avenue East
- 2 4570 Sheppard Avenue East

DATE: March 8, 2022

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